IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 902 (MS) OF 2006

1. Smt. Renuka Jain, W/o late Sri Arvind Kumar Jain,
2. Km. Kanika Jain, D/o late Sri Arvind Kumar Jain,
3. Smt. Shanta Jain, W/o late Sri Hem Chandra Jain,

All R/o 20/1 Mohni Road, Dehradun.

.....Petitioners.

Versus

1. Motor Accident Claims Tribunal, ADJ/FTC-III, Dehradun.
2. New India Assurance Co. Ltd., 25, Rajpur Road, Dehradun.
3. Master Kunal Jain, S/o late Sri Arvind Kumar Jain, R/o 20/1 Mohni Road, Dehradun.

.....Respondents.

Dated: 15.07.2006

Hon'ble Rajesh Tandon, J.

Heard Sri B.P. Nautiyal, Advocate for the petitioner and Standing Counsel for the respondents.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondent no. 1 (MACT ADJ/FTC III, Dehradun) to release the share of the petitioners as prayed in Annexure No. 3.

Briefly stated, an award of Rs. 19,70,000/- was passed by the Ld. Tribunal in MACT No. 100 of 1999 along with 9% interest in favour of the claimants as per award dated 11.03.2002.

The said award was challenged in this High Court and the same was confirmed on 20th August, 2004. The petitioners applied for the release their share of the award in their favour, but the grievance of the petitioner is that the application for disbursement of amount has not yet been disposed of.

In view of the above, MACT, Dehradun is directed to dispose of the application of the petitioners and release their share in pursuance of the award within a period of six weeks from the date of presentation of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

15.07.2006
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